

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Jerry Isham, *et al.*,

Plaintiffs,

V.

Case No. 1:19cv577

City of Cincinnati, *et al.*,

Judge Michael R. Barrett

Defendants.

ORDER TO SHOW CAUSE

Plaintiffs filed this action on July 15, 2019 alleging violations of their civil rights pursuant to 42 U.S.C. § 1983.

Pursuant to the docket of this Court, it appears that no Defendant has been served with the complaint. Proper service of process is required in order for this Court to obtain personal jurisdiction over each defendant. Plaintiffs bear the burden of exercising due diligence in perfecting service of process and of showing that proper service has been made.

Fed. R. Civ. P. 4(m) provides, in pertinent part, as follows:

If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Accordingly, Plaintiffs are hereby notified that the Court proposes to dismiss this action without prejudice. Therefore, Plaintiffs are **ORDERED** to show cause, in writing, **within twenty-one (21) days** why the complaint should not be dismissed against Defendants for failure of service.

IT IS SO ORDERED.

/s/ Michael R. Barrett
Michael R. Barrett
United States District Judge